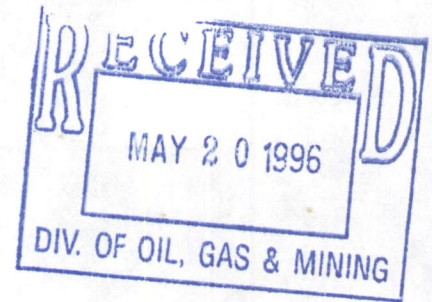


Wayne Hedby

5/015/072

WESTERN CLAY COMPANY

PO BOX 127  
AURORA, UT 84620  
801-529-3281



ROW APPLICATION  
FOR ACCESS ROAD ON  
BLM LANDS

STATE OF UTAH DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
ATTENTION LOWELL BRAXTON  
355 WEST NORTH TEMPLE  
3 TRIAD CENTER, SUITE 350  
SALT LAKE CITY, UT 84180-1203

May 17, 1996

Dear Sir:

Western Clay Company plans to improve the road to the gypsum mine it is operating according to the enclosed application to the Bureau of Land Management. We ask your approval to do the work described in this application.

The mine is presently being operated under a notice of operations (under 5 acres). An application will be made shortly for a plan of operation (larger acreage). Please feel free to call me at (801) 529-3281 if you have any question I might clarify.

Sincerely Yours;

Neal J. Mortensen  
Secretary-Treasurer  
Western Clay Co.



APPLICATION FOR TRANSPORTATION AND  
UTILITY SYSTEMS AND FACILITIES  
ON FEDERAL LANDS

5/015/07

FORM APPROVED  
OMB NO. 1004-0060  
Expires: June 30, 1995

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date filed

1. Name and address of applicant (include zip code)

WESTERN CLAY CO  
508 E CENTER  
AURORA, UT 84620

2. Name, title, and address of authorized agent if different from Item 1 (include zip code)

NEAL J MORTENSEN  
508 E CENTER  
AURORA, UT 84620

3. TELEPHONE (area code)

Applicant  
801-529-3281  
Authorized Agent  
801-529-3281

4. As applicant are you? (check one)

- a. ☐ Individual  
b. ☒ Corporation\*  
c. ☐ Partnership/Association\*  
d. ☐ State Government/State Agency  
e. ☐ Local Government  
f. ☐ Federal Agency

\* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. ☒ New authorization  
b. ☐ Renewing existing authorization No.  
c. ☐ Amend existing authorization No.  
d. ☐ Assign existing authorization No.  
e. ☐ Existing use for which no authorization has been received\*  
f. ☐ Other\*

\* If checked, provide details under Item 7

6. If an individual, or partnership are you a citizen(s) of the United States? ☐ Yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

This is an application to upgrade an existing road to BLM class II road standards. The length of the road is 8,200 FT. The road goes from the east side of section 16 to the gypsum mine in the north part of section 23 township 24 south range 7 East SLBM. as shown on the enclosed map. The width will be 22Ft. from barrow pit to barrow pit. The total right of way will be 30Ft. This application is for a term of thirty (30) years. The use will be year round. The volume is projected to be fifty thousand tons per year. It will take a few years to reach this tonnage. We plan to complete the construction within 8 months from acceptance. The project is quite simple. The fill from one road cut will exceed 30 Ft.

8. Attach a map covering area and show location of project proposal

9. State or Loc government approval: ☐ Attached ☒ Applied for ☐ Not required APPLIED FOR WITH DEPT. OIL GAS&MINING

10. Nonreturnable application fee: ☐ Attached ☒ Not required \$300+\$75 yearly rental

11. Does project cross international boundary or affect international waterways? ☐ Yes ☒ No (If "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Western Clay Company has been in the mineral processing business for 23 Years and is presently doing \$3,000,000 per year in volume. Our business is growing. We just completed a \$1,500,000 expansion to our plant in Aurora, Utah.



13a. Describe other reasonable alternative routes and modes of travel considered.

b. Why were these alternatives not selected?

c. Give explanation as to why it is necessary to cross Federal Lands.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

No hazardous material.

Deisel fuel will be trucked daily to the equipment.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

B.L.M.

Price, Ut.

Utah Department of Oil Gas & Mining

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

5/17/96

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



# SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide additional instructions

CHECK APPROPRIATE  
BLOCK

## I - PRIVATE CORPORATIONS

ATTACHED FILED\*

- |   |                          |                          |
|---|--------------------------|--------------------------|
| a. Articles of Incorporation  | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Corporation Bylaws   | <input type="checkbox"/> | <input type="checkbox"/> |
| c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.  | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Copy of resolution authorizing filing  | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate. | <input type="checkbox"/> | <input type="checkbox"/> |
| f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.  | <input type="checkbox"/> | <input type="checkbox"/> |
| g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.  | <input type="checkbox"/> | <input type="checkbox"/> |

## II - PUBLIC CORPORATIONS

- |  |                          |                          |
|--|--------------------------|--------------------------|
| a. Copy of law forming corporation   | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Proof of organization   | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Copy of Bylaws  | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Copy of resolution authorizing filing   | <input type="checkbox"/> | <input type="checkbox"/> |
| d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above. | <input type="checkbox"/> | <input type="checkbox"/> |

## III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY

- |  |                          |                          |
|--|--------------------------|--------------------------|
| a. Articles of association, if any   | <input type="checkbox"/> | <input type="checkbox"/> |
| b. If one partner is authorized to sign, resolution authorizing action is                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Name and address of each participant, partner, association, or other                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above. | <input type="checkbox"/> | <input type="checkbox"/> |

\* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

## NOTICE

The Privacy Act of 1974 provides that you be furnished the following information in connection with information required by this application for an authorization.

AUTHORITY: 16 U.S.C. 310; 5 U.S.C. 301.

PRINCIPAL PURPOSE: The information is to be used to process the application.

ROUTINE USES: (1) The processing of the applicant's request for an authorization. (2) Documentation for public information. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a right in public lands or resources. (4)(5) Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

## DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands.

The Federal agencies use this information to evaluate the applicant's proposal.

The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, 1620 L Street, Rm. 204, Washington, D.C. 20036.



APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS  
AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION  
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
Federal Office Building, P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Juneau Area Office  
9109 Mendenhall Mall Road, Suite 5, Federal Building Annex  
Juneau, Alaska 99802  
Telephone: (907) 586-7177

Bureau of Land Management (BLM)  
222 West 7th Ave., Box 13  
Anchorage, Alaska 99513-7599  
Telephone: (907) 271-5477 (or a local BLM Office)

National Park Service (NPS)  
Alaska Regional Office, 2525 Gambell St., Rm. 107  
Anchorage, Alaska 99503-2892  
Telephone: (907) 257-2585

U.S. Fish & Wildlife Service (FWS)  
Office of the Regional Director  
1011 East Tudor Road  
Anchorage, Alaska 99503  
Telephone: (907) 786-3440

Note-Filings with any Interior agency may be filed with any office noted above or with the: Office of the Secretary of the Interior, Regional Environmental Officer, Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone: (907) 271-5285

**NOTE** - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS  
(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 - The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 - Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

Public reporting burden for this form is estimated to vary from 30 minutes to 25 hours per response, with an average of 2 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-873), 1849 C Street, N.W., Washington, D.C. 20240, and the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".